

A RESOLUTION

BY

01-R-0344

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A
RIGHT-OF-WAY AGREEMENT WITH MCI
TELECOMMUNICATIONS CORPORATION, TO USE A SPECIFIC
PORTION OF THE PUBLIC RIGHT OF WAY FOR LIMITED
TELECOMMUNICATIONS PURPOSES NOT INCLUDING
TELECOMMUNICATIONS SERVICES, AS DEFINED IN THE
TELECOMMUNICATIONS ACT OF 1996 (47 U.S.C. §153 (46)) OR
LOCAL EXCHANGE SERVICE AND FOR OTHER PURPOSES.**

WHEREAS, MCI Telecommunications Corporation, has applied for an right-of-way agreement to provide limited telecommunications services on, under, over and through specifically identified portions of the public right-of-way; and

WHEREAS, MCI Telecommunications Corporation, intends to install equipment in the public right-of-way to transport signals across the City without originating or terminating Telecommunications Services at, to or from any person or location in the City; and

WHEREAS, MCI Telecommunications Corporation, has negotiated a right-of-way agreement with the City which provides such access and preserves the rights of the City until such time as a comprehensive ordinance is enacted;

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF ATLANTA GEORGIA HEREBY RESOLVES:

SECTION 1: That the Mayor be and is hereby authorized to execute a right-of-way agreement in substantially similar form as attached, with MCI Telecommunications Corporation, for use of the public right-of-way for telecommunications purposes.

SECTION 2: That such right-of-way agreement shall expire and terminate on March 31, **2003**.

SECTION 3: That MCI Telecommunications Corporation, shall pay **3% of gross revenues**.

SECTION 4: That the City Attorney shall prepare a right-of-way agreement document, which shall be approved by the City Attorney as to form.

SECTION 5: That said right of way agreement shall not be binding on the City until approved by the Mayor and delivered to MCI Telecommunications Corporation.

OMC – Amendment Incorporated by tcp 3/28/01

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED as amended by the Council
APPROVED by the Mayor

MAR 19, 2001
MAR 27, 2001

RCS# 2739
3/19/01
4:52 PM

Atlanta City Council

Regular Session

MULTIPLE

01-R-0319; 01-R-0320; 01-R-0321;
01-R-0330; 01-R-0343; 01-R-0344
ADOPT AS AMEND

YEAS: 10
NAYS: 2
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y McCarty	Y Dorsey	NV Moore	Y Thomas
N Starnes	Y Woolard	Y Martin	NV Emmons
Y Bond	N Morris	Y Maddox	B Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

MULTIPLE

01- R-0344

(Do Not Write Above This Line)

A RESOLUTION

BY

W. G. Thomas, Jr.

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RIGHT-OF-WAY AGREEMENT WITH MCI TELECOMMUNICATIONS CORPORATION, TO USE A SPECIFIC PORTION OF THE PUBLIC RIGHT OF WAY FOR LIMITED TELECOMMUNICATIONS PURPOSES NOT INCLUDING TELECOMMUNICATIONS SERVICES, AS DEFINED IN THE TELECOMMUNICATIONS ACT OF 1996 (47 U.S.C. 153 (46)) OR LOCAL EXCHANGE SERVICE AND FOR OTHER PURPOSES.

ADOPTED BY
MAR 19 2001

COUNCIL

As Amended

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred 2/19/01

Referred To: City Utilities

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred to _____

Committee

City Utilities

Date

2-27-01

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Don McCarly

Refer To

Committee

City Utilities

Date

3-13-01

Chair

Alan Duller

Action:

Fav, Adv, Hold (see rev. side)

Other:

As Amended

Members

John Starnes

Refer To

W. G. Thomas, Jr.

Refer To

FINAL COUNCIL ACTION

- ☐ 2nd
- ☐ 1st & 2nd
- ☐ 3rd
- ☐ Consent
- ☐ V Vote
- ☒ RC Vote

CERTIFIED

CERTIFIED
MAR 19 2001

ATLANTA CITY COUNCIL PRESIDENT

Robert R. Pitts

CERTIFIED
MAR 19 2001

ATLANTA CITY COUNCIL CLERK

MAYOR'S ACTION

Will Ford
MAR 27 2001